Senate File 421 - Introduced

SENATE FILE 421 BY CHELGREN

A BILL FOR

- 1 An Act relating to contract payments made by the state or an
- 2 agency of the state to Iowa residents and businesses.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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- 1 Section 1. NEW SECTION. 72.6 Contract payments.
- The state or an agency of the state shall either make
- 3 full or partial payments as required under a contract with
- 4 an Iowa resident or a business organized under the laws of
- 5 this state whose commercial domicile is in this state or shall
- 6 provide a written statement to such other party to the contract
- 7 explaining the reason an invoice is in dispute within sixty
- 8 days of one of the following dates, whichever is earlier:
- 9 a. The date the state or an agency of the state receives an
- 10 invoice showing a payment is due and payable.
- 11 b. The date a payment becomes due and payable under a
- 12 contract.
- 2. For purposes of this section, receipt of an invoice
- 14 occurs at the time of actual physical or electronic delivery.
- 15 In a dispute regarding the date of the receipt of an invoice,
- 16 the burden of proof is on the state or agency of the state
- 17 to establish by a preponderance of the evidence the date of
- 18 receipt. An intake bates stamp using time and date and made
- 19 with a stamping mechanism that is resistant to tampering shall
- 20 be considered prima facie evidence of the date of receipt.
- 21 EXPLANATION
- The inclusion of this explanation does not constitute agreement with
- the explanation's substance by the members of the general assembly.
- 24 This bill relates to contract payments made by the state or
- 25 an agency of the state to Iowa residents and businesses.
- 26 The bill requires the state or an agency of the state to
- 27 either make full or partial payments as required under a
- 28 contract with an Iowa resident or a business organized under
- 29 Iowa law whose commercial domicile is in Iowa or to provide
- 30 a written statement to such other party to the contract
- 31 explaining the reason an invoice is in dispute within 60 days
- 32 of the date an invoice is received or the date a payment is due
- 33 and payable under a contract, whichever is earlier. The bill
- 34 provides that in a dispute regarding the date of the receipt
- 35 of an invoice, the burden of proof is on the state or an agency

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- 1 of the state to establish by a preponderance of the evidence
- 2 the date of receipt.